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REVIEW OF
EDUCATIONAL LEGISLATION
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By

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[Advance Sheets from the Biennial Survey of Education
in the United States, 1926-1928]



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REVIEW OF EDUCATIONAL LEGISLATION

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CONTENTS.—Educational investigations and surveys—Recodification of school laws—State administration—State school support—County administration—County superintendents—Consolidation and transportation—Secondary education—Junior college—Adult education—Teachers' certificates—Teachers' pensions—Teachers' salaries—Teachers' tenure—Physical welfare of school children—Safety of school children—Handicapped children—Private degree-conferring institutions.

During the biennium 1926-1928 approximately 1,200 educational acts of general application were passed in continental United States. The outstanding general feature is the increased tendency to employ educational surveys and state-wide investigations as bases for educational legislation.

In recent years legislatures and school officials have manifested increased interest in securing information concerning school conditions and problems as a basis for formulating legislative and administrative policies affecting the schools. Critical public opinion, demanding economy and efficiency, and the growing science of education have largely favored this tendency.

EDUCATIONAL INVESTIGATIONS AND SURVEYS

School surveys became a prominent factor in the administration of city school systems less than two decades ago. Such surveys are now applied to county and State school systems and to institutions and classes of institutions and are of general and special types. From the standpoint of the reviewer of legislation state-wide surveys are of most interest since this is the kind of study that usually contains recommendations of legislation and often results in the passage of new laws. During 1927 more than a dozen state-wide educational surveys or studies were provided for by legislative action.

The Alabama Legislature authorized a state-wide school-building survey. It provided that the character of permanent construction most economical and available in the various sections of the State and the value and adequacy of the present school building facilities shall be studied and that estimates be made as to the amounts needed

to provide reasonably adequate buildings for all public schools of the State.

The Legislature of California authorized three state-wide investigations: (1) Provided for the appointment by the governor of a committee to investigate the present conditions and future possibilities of the public-school teachers' retirement fund and report its findings to the next legislature; (2) directed the State board of education to investigate the supplementary books used in the elementary schools of the State and to report thereon to the State board of control; (3) directed the State department of education to investigate the educational, geographical, financial, and organizational problems of public education in the State beyond the elementary grades and to prevent a report to the governor for transmission to the next legislature.

Colorado, by concurrent resolution, authorized the governor to appoint a committee of three representatives to study the problems concerning a teachers' retirement fund law and report to the next general assembly.

The Florida Legislature authorized the governor to appoint a commission of five to survey the public educational system of the State, including all schools and educational institutions, and to report to the next legislature. A noteworthy feature of this act is that the survey commission is directed to employ a staff of experts from outside the State trained in educational survey work to make an impartial investigation as to the organization, administration, financial condition, and general efficiency of the educational system in accordance with approved scientific standards of educational research and to make definite recommendations for the improvement thereof. The legislature appropriated \$50,000 for this survey.

An Illinois legislative enactment created a commission of seven members to study and investigate the workings of the general tax and revenue laws of the State and similar laws in other States and to collect full data and information regarding the passage and operation of the same and report to the next legislature.

North Carolina authorized two state-wide investigations: (1) Created a tax commission of five members to study thoroughly the State taxation system, including cities, counties, and subdivisions and to study taxation systems in other States and places and the classification of property; and to make comparative study of taxation in various phases, including the relationship between State tax and the Federal tax and to report its findings to the governor who shall submit the same to the legislature with recommendations. (2) Created a State board of equalization composed of 11 members who are authorized and directed to study, investigate, compare, and de-

termine the true value of all property subject to taxation in each county which value shall be the basis upon which taxes for the six months' school term shall be levied and collected and the basis upon which the equalization fund shall be apportioned.

Pennsylvania created a commission of nine members and the State superintendent (ex officio) as chairman to study distribution of State subsidies to districts; it also provided that the question of creating a fund for insuring school buildings against fire be referred to the insurance commissioner to make a study of the subject and to report to the next legislature.

The 1928 New Jersey Legislature, by joint resolution, appointed a commission of 15 members to inquire into the work and activities of the public schools and other public educational institutions of New Jersey and other States; to investigate the manner and method by which public-school funds are raised; to recommend an adequate and comprehensive program of education for New Jersey; to suggest methods that would put in practice and economical operation the program recommended and to report to the next legislature; appropriated \$25,000 for this inquiry. Another New Jersey resolution created a commission consisting of nine members to examine the existing relationship of the State with Rutgers University and to recommend to the legislature such reorganization and means of reorganization as may be deemed to be to the best interests of the State.

The Virginia Legislature at the special session of 1927 created a commission to survey the educational system of the State, with especial reference to present conditions and future needs in respect to maintenance, organization, curricula, business management, etc., and to report to the next general assembly.

RECODIFICATION OF SCHOOL LAWS

The practice of adding new school laws and amendments at each session of the legislature over a period of years generally results in illogical arrangement of school codes, and duplications and inconsistencies in school laws develop in many instances.

Within the two years here reviewed more States than usual took legislative action toward revising and codifying their school laws. Alabama provided for complete revision and codification of all laws relating to education. The Legislature of California created a code commission to study the laws relating to the establishment, control, administration, support, and all other concerns of the public-school system and to submit a new school code to the next (1929) legislature. The Connecticut Legislature authorized the State board of education to revise and codify the school laws. The Kansas Legislature created a school code commission to study the school laws of

Kansas and to recommend to the next legislature amendments which it deemed necessary for the purpose of clarifying, revising, and codifying such laws.

Judging from the report of the Kansas commission the steps taken by Kansas are of especial interest and value. The commission established called to its assistance men and women in all walks of life within the State and was aided by others interested in education outside the State. The work of the committee included a comprehensive study of Kansas school laws and problems and in addition a general study of the school systems in other States.

In 1928 the Legislature of Virginia, acting upon the report of the State commission created in 1927 to study the educational needs of the State, made sweeping changes in its school code, especially in respect to the selection of the State board of education and the State and division superintendents of schools. Important constitutional amendments were initiated. Wisconsin revised the principal chapters of its statutes relating to the administration and supervision of public schools.

STATE ADMINISTRATION

The trend of present legislation is toward fixing greater responsibility in the State boards for the administration of the State school systems. Within the 2-year period comprehended in this review several changes in the composition and duties of the State departments were made by legislative enactment. California increased the membership of the State board of education from 7 to 10, and provided for the establishment of a division of schoolhouse planning in the State department of education.

A constitutional amendment in Virginia made a complete change in the composition of the State board of education. Heretofore the State board has been composed of the governor, attorney general, superintendent of public instruction, and three educators elected by the senate from a list of eligibles consisting of one person from each faculty of certain State institutions of higher learning. The constitutional amendment provided that henceforth the State department shall consist of seven members appointed by the governor, subject to confirmation by the general assembly. Under this provision the governor may use his discretion in the selection of members of the State board of education.

Another amendment to the constitution of Virginia provided that the State superintendent shall be appointed by the governor until January 1, 1932. Formerly he was elected by the people. The amendment authorized the legislature, after January 1, 1932, to provide for the appointment or election of the State superintendent in such manner as it may deem best.

During the period of this review the Legislature of Nevada adopted a provision which requires that, in order to be eligible to hold the office of State superintendent, one must be a graduate of the State university or institution of equal standing and must have completed at least 20 credit hours in educational subjects.

New York raised the salary of the State commissioner of education to \$15,000 and the salary of the assistant commissioner of education to \$7,000. New Jersey provided for a fifth assistant commissioner of education, increased salaries of all assistant commissioners to \$7,000, and directed that one assistant commissioner be director of business matters.¹

STATE SCHOOL SUPPORT

Financing public education now constitutes the foremost problem in educational legislation. Within the past decade practically every State has in some way endeavored to equalize educational opportunities by increasing State aid to poor communities. Examples of increased State participation in school support during the past two years are here enumerated.

The Alabama Legislature appropriated \$900,000 annually to be known as the State equalization fund for equalizing education opportunities in public schools, which provides under certain conditions increased support for rural schools, libraries, normal schools, and elementary and secondary schools; it also appropriated \$600,000 for the support of public schools for a minimum term of seven months. The legislature further proposed a State bond issue not to exceed \$20,000,000 for the construction and improvement of public-school buildings, including institutions of higher learning and normal schools, but this issue was defeated at the polls in January, 1928.

The Arkansas Legislature created a State revolving loan fund to aid needy school districts in repairing, erecting, and equipping school buildings. It also created a State equalization fund for free public schools, and authorized the State board of education to fix a minimum school term and a minimum salary schedule for teachers.

California authorized State aid for schools for the children of migratory laborers engaged in seasonal industries in rural districts of the State.

Delaware provided that four-fifths of all license or franchise fees received by the State tax department should be paid to the State treasury to be used by the State board of education for the support of public schools; the State tax on personal and real property was reduced from 25 cents to 15 cents per \$100 valuation.

¹In 1929 the salary of the New Jersey commissioner of education was raised to \$15,000 per annum.

The Florida Legislature increased the school revenue by levying a 1-cent tax on each gallon of gasoline, by levying an additional one-quarter mill on all personal and real property, and by imposing a State and county license tax on all automobile tire and tube dealers.

The Georgia Legislature provided an equalization school fund by a State tax of one-half cent per gallon on motor fuel and 1 cent per gallon on kerosene. It has been estimated that the revenue from these sources will exceed \$1,000,000 annually. The State department of education is given wide latitude in working out the administrative details in connection with its distribution.

The 1928 Legislature of Louisiana provided additional State school revenue by increasing the severance tax and including in said tax carbon products obtained from natural gas.

A Maine act authorized State-aid increase from \$800 to \$1,200 per annum to school supervisory unions and that no school union shall receive less than \$1,000 per annum.

The Michigan Legislature appropriated \$1,000,000 annually to be apportioned to districts having an "average school membership in excess of the average for the whole State for each \$100,000 of equalized valuation."

A Montana act (ch. 119) created a State common-school equalization fund and made the State board of education the common-school equalization board. This act makes it mandatory for the State board to determine the minimum educational program which shall be equalized, and in determining such program to consider the following factors: "The minimum length of school term, the minimum school-tax levy, the assessed maximum valuation per child in average daily attendance, the minimum enrollment," and such other factors as the said board may deem necessary to carry out the act.

Missouri provided \$35,000 to be applied to the deficiency in the rural high-school aid fund, also \$300,000 for aid of teacher training in high schools.

The Legislature of New York increased State aid to poor districts by allowing \$500 for districts with five or more teachers; \$550 for districts with more than one and less than five teachers, this sum to be \$600 beginning August 1, 1928; \$650 beginning August 1, 1929, and \$700 each year thereafter; \$300 to districts with but one teacher and having valuation not exceeding \$100,000. Increased State aid was granted to still smaller districts. The legislature also allowed apportionment of school funds for teachers in part-time or continuation school on the same basis as for high-school teachers.

In North Carolina an act was passed which provided for more adequate distribution of the equalization fund so that the amount due from the State to counties shall be the amount by which the

necessary cost of six months' school term exceeds the amount produced by a 40-cent levy on \$100 valuation in the respective counties. The State equalization board was authorized to allow \$2,000 to any county when in the opinion of the board the said county has made efforts deserving of aid for the improvement of the teaching personnel. The legislature authorized the issue of State bonds to the amount of \$2,500,000 for special building fund to be loaned to county boards of education to aid in erecting schoolhouses. It also authorized the issuance of State bonds for more than \$2,000,000 for permanent improvement of State colleges and normal schools.

The Legislature of Oklahoma provided for a special school equalization fund and for its distribution by the State board of education for the purpose of carrying out as nearly as practicable the constitutional provision guaranteeing equality of educational opportunities to "all the children of all the people" in the State. This equalization fund is created from 25 per cent of the revenue tax on oil, gas, and other minerals, and the amount that can be expended under this act shall not exceed \$1,500,000 per annum. The fund shall be apportioned on the following bases: (a) Districts must levy a tax of 15 mills before becoming eligible to State distribution; (b) average daily attendance considered; (c) eight months' school term required before becoming eligible to State distribution; (d) weakness of districts as exhibited in their sworn statement as to assessed valuation per child and expenditures per child; (e) transfer and transportation of pupils considered; the State board is authorized to withhold aid where it appears that, because of small attendance in any district, transfer and transportation of all pupils to an adjacent school would be the most advisable and economical program; (f) total annual expenditures per pupil in average daily attendance shall not exceed \$45 per pupil; (g) districts which pay athletic instructors more than \$125 per month shall not participate in this fund.

The Oregon Legislature authorized the State land board to purchase a portion of surplus bonds issued by school districts.

The South Dakota Legislature provided a \$1 tax on each resident over 21 years of age for the support of common schools and appropriated \$40,000 in aid of the common schools to be distributed to the several counties in proportion to the acreage of indemnity and endowment lands in the respective districts in each county.

A Tennessee act authorized the expenditure of \$1,000,000 for building and repairing rural public schoolhouses in the State and authorized the issuance of State bonds therefor.

Vermont provided a new form of distributing part of State aid available for towns. The districts are divided into seven groups according to funds raised by local taxation which are expended for

school support. Other things being equal, the lower this rate the lower will be the State aid, and the higher the rate the higher will be the State aid. Vermont also appropriated \$5,000 for a community schoolhouse fund, and provided that when any district raises money otherwise than by taxation for furnishing and improving buildings or school grounds an equal amount, not to exceed \$100 per year, shall be supplied by the State.

By a constitutional amendment in Virginia the general assembly of that State is allowed greater freedom to apportion State school funds on bases determined by it to be best, and an act of the legislature allowed State aid to high schools on the condition that the local county or city provide at least 50 per cent of the amount furnished by the State.

Washington provided that the commissioner of public lands shall control lands acquired by the State by escheat or operation of law or by gift and that the proceeds of the lease or sale of such lands shall be a part of the county school fund of the county in which said land is situated.

The Wyoming Legislature provided for the distribution of oil, gas, or mineral royalties from leasing of school lands; $33\frac{1}{3}$ per cent of such royalties shall be paid into the State treasury and be credited to the land income fund for the benefit of schools.

COUNTY ADMINISTRATION

As compared with other governmental or civil units, the county entered the business of administering public education somewhat late. In general, the community unit, township or district, was the first in the field, but since the beginning of the present century the county has rapidly attained an important place in public education. There is a decided trend toward placing greater responsibility upon the county as a unit in educational affairs. This responsibility, it should be remembered, has shifted from the district and not from the State.

Within the past two years several legislative acts relating to county school administration were enacted. Alabama provided for the consolidation of administration and control of public-school systems in certain counties and for the establishment of county boards of education in lieu of all other city and county boards in those counties. The Legislature of Arkansas sought to increase school efficiency by making provision for county boards of education in certain counties; provided for establishing by vote of the people in any county exceeding 75,000 population, a county school unit system; and authorized county boards of education to dissolve any school district not maintaining 120 days' school or whose daily attendance does not exceed

15 pupils, and to attach said district to adjacent school district, providing the dissolving district is taxed at the minimum rate. A Minnesota act provided for the organization of certain counties as school districts. The Oregon Legislature provided that in districts where the county high school law is in operation any high-school organization may be taken over by the county school board upon mutual consent of the local school committee and county authorities. The Legislature of Texas provided for aid in the formation and maintenance of rural high-school districts according to a county-wide plan. In 1928 Virginia strengthened the county unit act of 1922 by providing that all school finances, except district indebtedness and future capital outlay, shall be handled on a county-wide basis; and authorized county boards of education instead of district boards to establish high schools.

COUNTY SUPERINTENDENTS

The tendency to raise the qualifications required of county superintendents appeared in a few States. Alabama provided that county superintendents must have three years' successful experience in teaching within five years next preceding appointment and that they need not be residents of the county; Arkansas required county superintendents to be holders of valid teachers' certificates; Indiana required county superintendents to have five years' successful experience in teaching and to hold a first or second-grade supervisor's license. The most noticeable changes in respect to the county superintendent's qualifications occurred in Virginia in 1928, where by constitutional amendment the State board of education is required to certify to the local school boards of each division a list of persons having "reasonable academic and business qualifications for division superintendent of schools, one of whom shall be selected by said board as superintendent." In pursuance to this amendment the State board of education has adopted the following minimum requirements: (1) Graduation from a standard 4-year college with at least 15 hours of professional training, and two years of practical experience as school principal or supervisor, or five years' experience as a teacher; or (2) graduation from a standard 4-year college with degree of B. S. or A. B. with four years' experience as school principal or supervisor, or six years' experience as a teacher; and (3) general administrative ability as evidenced by practical experience in business or in the business administration of education. Wyoming requires candidates for county superintendent, on or before election, to file with the county clerk their teachers' certificates of as high a rank as first class.

Recent legislation also shows a tendency to increase the salaries of county superintendents in Arkansas, Colorado, Illinois, Indiana,

Iowa, Mississippi, Missouri, and New Jersey. Marked increases in compensation appeared in Illinois and Mississippi.

CONSOLIDATION AND TRANSPORTATION

Recent enactments show a tendency to provide for larger school units in rural communities by the abandonment of small schools, especially 1-teacher schools, and by transportation of pupils of such schools to larger school buildings, comprising in many cases several teachers. Legislative provisions encouraging consolidation and transportation during the biennial period under review were enacted in more than half of the States. Below are some examples of such provisions.

The steps taken by Alabama, Arkansas, Minnesota, and Oregon with respect to consolidation have already been mentioned under the subject of county administration. California authorized elementary districts to annex to high-school districts, and allowed transportation in all high-school districts. The 1926 act of Georgia as amended in 1927 provided for the merger of independent school systems with less than 200,000 population into county-school systems. County boards of education or district trustees were authorized to provide transportation of pupils and teachers when deemed for the best interest of the school. Furthermore, the Georgia Legislature required the State superintendent to set aside \$400,000 annually to aid in establishing and maintaining consolidated schools, and authorized him to grant \$500 annually to consolidated schools with as many as four teachers and \$1,000 annually to consolidated 4-year high schools needing help. Idaho authorized nonhigh-school districts to furnish transportation of high-school pupils to nearest high school and pay the expense incurred. Illinois authorized school boards to pay transportation of pupils to school in their own or other districts. Indiana provided for the establishment of joint schools by different districts. In 1928 the Legislature of Kentucky authorized graded common-school districts to consolidate with county districts in order to promote more economical and efficient administration of schools, and required such consolidation where any common-school district fails to provide adequate schools. The Legislature of Louisiana authorized parish school boards to provide transportation for children living more than two miles from a school of suitable grade on the condition that they attend any school approved by the State board of education. Maine authorized towns to furnish board in lieu of transportation of high-school pupils. Mississippi authorized county superintendents to provide for the transportation of children from rural districts in which no school is maintained and provided for the payment of transportation by

said district. Missouri required school boards to maintain elementary schools within $3\frac{1}{2}$ miles by the nearest traveled road of every child or provide transportation. Montana, Nebraska, Nevada, and North Dakota authorized elementary school districts to unite with high-school districts.

An Oregon act required a petition of 20 per cent of the voters before the matter of uniting or dividing districts may be submitted to a vote of the people. Oregon also provided that when consolidated districts transport pupils of a district which was annexed to consolidated district, the county superintendent shall apportion to the consolidated district the proportion of the State elementary school fund which the annexed district was entitled to receive at the time of annexation. Pennsylvania provided reimbursement to fourth-class districts which provide free transportation to children under 16 years of age. Rhode Island authorized school committees to provide transportation in lieu of providing convenient location of schools. Wisconsin provided for consolidation of certain districts for the establishment of high schools.

SECONDARY EDUCATION

In recent years the legislatures in the majority of States have manifested a laudable effort to provide means for all children to receive secondary instruction. The effort has been not so much in the way of establishing more high schools, but rather in providing means whereby pupils may attend such schools already established. Enactments in this respect generally include one or more of the following provisions: (1) Require high-school districts to accept qualified pupils from nonhigh-school districts when facilities permit. (2) Authorize nonhigh-school districts to contract with high-school districts whereby pupils of the former district may attend high school in the latter on the condition that the former district pay the cost of instruction of such pupils. (3) Require or authorize nonhigh-school districts to furnish transportation or tuition or both to its pupils attending in another district. (4) Authorize high-school districts to provide transportation of resident pupils where, because of distance, it is impracticable for them to attend; or to authorize such districts to pay their tuition while attending a more accessible high school in another district. (5) Furnish board in lieu of transportation. Enactments embracing one or more of the above provisions were made during the two years here reviewed in the following States: California, Colorado, Idaho, Illinois, Kansas, Kentucky, Maine, Massachusetts, Montana, Minnesota, Nebraska, New Hampshire, Pennsylvania, Louisiana, Mississippi, Vermont, and Wisconsin.

Some examples of further legislation which provides for extending secondary educational facilities follow:

An act of Georgia authorized State aid to the amount of \$1,000 annually to consolidated 4-year high schools needing help. The Legislature of Iowa enacted a provision requiring a petition signed by 25 per cent of the voters before the question of abolishing a high school can be submitted to a vote of the people. Kansas authorized certain districts maintaining accredited high schools to levy a direct tax not exceeding 10 mills for the maintenance thereof. The Legislatures of Maine and New Hampshire enacted provisions for substantial State reimbursement to certain towns paying the tuition of its high-school pupils. Maryland provided for the classification of high schools into two groups instead of three; and provided that all graduates of first-group high schools shall be admitted to State-aided institutions of higher learning regardless of whether they pursued the academic course in high school. The Missouri Legislature appropriated more than \$35,000 for the rural high-school aid fund deficiency and \$78,000 for the salaries and traveling expenses of high-school superintendents and inspectors. A Nevada act made provision for organizing parts of adjoining counties into high-school districts. A North Carolina enactment provided that high schools maintaining nine months' terms and meeting all other requirements and offering superior instruction with fewer than 45 pupils in average daily attendance may be considered for standardization. North Dakota authorized the establishment and maintenance of high schools by two or more districts. The Legislature of Pennsylvania permitted districts to arrange with other districts for the education of high-school pupils without county examination upon the approval in writing of the county superintendent. An act of Texas made provision for a State bonus to consolidated rural schools. The Wisconsin Legislature made provision for the consolidation of certain districts for the establishment of high schools and authorized certain common districts to establish such schools.

JUNIOR COLLEGES

The junior-college movement during the period of this review constituted the most impelling measure with respect to higher education which confronted legislators, and, judging from legislative enactments, it is a rapidly advancing movement. Within the two years here considered legislative measures providing for junior colleges were enacted for the first time in 11 States: Arizona, Connecticut, Georgia, Idaho, Iowa, Minnesota, Missouri, Pennsylvania, and Tennessee, in 1927, and Louisiana and Mississippi, in 1928. Moreover, California in 1927 amended its junior-college law of 1921 by repealing the provision relating to the payment of tuition in junior colleges by nonresidents of junior-college districts. Seventeen

States now have statutory provisions for junior colleges. The States enacting such provision prior to 1927 are California, Kansas, Michigan, Montana, Oklahoma, and Colorado.

The principal tendencies of junior-college legislation are: (1) To restrict their establishment to cities or districts which can adequately support such institutions, taking into consideration population and wealth; (2) to provide for their establishment and maintenance under the approval and regulation of State authority.

ADULT EDUCATION

One of the outstanding features of educational legislation in recent years consists in providing means for adult education.

The first enactments after the war for this purpose were prompted and characterized by a feeling of necessity for educating adult immigrants in the principles and ideals of our democracy and in the use of the English language. The blending of this view with the growing recognition of the importance of educated electors as a safeguard to democratic government has led to the movement for more liberal adult education and has resulted in enactments which provide education for adults in general, including those of native as well as foreign origin.

During 1927 laws relating to adult education were passed in Arkansas, Connecticut, Delaware, Florida, Illinois, Nebraska, and Rhode Island. Only a summary of enactments in these States can be given here.

Arkansas changed the name of "The Arkansas Illiteracy Commission" to "The Arkansas Adult Education Commission."

Connecticut required that the State board of education establish a division of adult education and appoint a director thereof, and authorized the school committee of any town designated by the State board of education to appoint, subject to the approval of the said board, a director of adult education. Furthermore, the legislature provided for the organization of and State aid to schools for non-English-speaking adults. Such schools must be established in districts where 20 or more such persons 16 years of age or over shall apply in writing therefor.

An act of the Delaware Legislature authorized the State board of education to create a service bureau for foreign-born residents, to promote the process of Americanizing such residents, and to protect them from exploitation and injustice.

A Florida enactment provided for the establishment of public evening schools, elementary and high, as a branch of the school system which shall be available to all residents, native or foreign born, who are unable to attend any public day school.

An Illinois legislative enactment authorized school boards to establish classes for adults.

A Nebraska act provided for the establishment of adult immigrant education services in the department of education for education of adult aliens and others, under the direction of the State superintendent. Under this act, local school boards and school authorities are authorized to expend money for conducting schools and classes in school buildings, industrial establishments, places of employment, and other places for giving instruction to foreign-born and native-adults and minors over the age of 16. Such course of instruction or study must include English, history, civics, and other subjects tending to promote good citizenship and increase vocational efficiency. The State superintendent of public instruction is required to designate courses of study, approve the selection of teachers, and supervise the instruction.

The Rhode Island Legislature appropriated \$3,000 for the fiscal year ending July 1, 1928, for the promotion of home and community classes in any town or district for instruction in the use of the English language, in the common rights and obligations of citizenship, and in the fundamental principles of the American plan of government. This resolution authorized the State board or local committees of any town to establish and maintain classes for persons over 16 years of age who can not read, write, or speak the English language; and provided that such classes may be held in homes or other suitable places. It furthermore provided that if a class of 20 or more such persons has been organized, the school committee shall hire a teacher and pay for such instruction, in which case, the school committee shall be entitled to State reimbursement.

TEACHERS' CERTIFICATES

The tendency to raise the qualifications required of teachers which has been marked for many years, continues. The minimum standard toward which the States are working is high-school graduation plus two years of normal training for every teacher in the elementary schools. Only the notable changes with respect to teachers' requirements are reported here.

An act of Idaho provided that all teachers in elementary schools must have one or more years of normal training; and that after September, 1929, two years of normal training shall be required. A Minnesota act authorized that first-grade professional certificates be granted to graduates of accredited colleges of education or liberal arts colleges or universities with evidence of such professional training as may be prescribed by the said board of education. An Oregon enactment provided that from January 1, 1929, to January 1, 1931,

all beginning teachers must have completed an elementary teachers' training course of 48 weeks' duration; from January 1, 1931, to January 1, 1933, 60 weeks; and after January 1, 1933, the completion of 72 weeks of teacher training shall be required. The Legislature of North Dakota authorized the State superintendent of public instruction to issue vocational certificates in art and physical education; and required candidates for primary certificates by examination to pass an examination in civics, American literature, and current events. Texas authorized the renewal of teachers' certificates for one year where the holder completes four subjects in a summer school at an approved teachers college. In 1928, Mississippi increased the qualifications for music teachers, requiring them to be graduates of four-year music departments of a standard four-year college, or to have received equivalent instruction. New Jersey in 1928 required all permanent teachers in the public schools to be citizens of the United States, except foreign-language teachers who have not been residents 10 years.

TEACHERS' PENSIONS

State-wide pension systems are now in operation in approximately one-half of the States, and pension laws applicable to certain cities are found in nearly a dozen other States. Legislative acts within the past two years affecting teachers' pensions were primarily efforts to perfect, by appropriate amendments, pension laws already enacted. A dozen or more States amended their teacher pension laws in some way; mostly to the benefit of the teacher. An original teachers' pension law was enacted in Kentucky which created a state-wide teachers' retirement system, providing for voluntary membership.

TEACHERS' SALARIES

Legislative enactments within the past two years tend to provide more adequate and uniform teachers' salaries. A California act provided for uniform allowance in salary schedule "for years of teaching and years of service." A Delaware enactment provided that teachers' salaries shall be uniform in application, without discrimination on account of race, color, or religious belief. The Legislature of Georgia made provision for carrying into effect the constitutional amendment of November, 1926, which authorized the issuance of bonds to the amount of \$3,500,000 for teachers' salaries. Nevada authorized boards of education to pay teachers in 12 monthly payments for 10 months' service; and in their discretion to pay salary to any teacher unavoidably absent due to personal illness or death in immediate family. A 1928 act of Kentucky provided that teachers with 10 years' experience in a county shall re-

ceive the same basal salary as a high-school graduate in such county without teaching experience. The full meaning and purpose of this law do not appear.

TEACHER TENURE

Teacher tenure laws now prevail in many States. Some difficulty has been experienced in enacting satisfactory tenure laws. Recently enacted tenure laws provide a probationary period for teachers and to place on the school board, after such probationary period is passed, the burden of showing cause why any teacher should be dismissed or reduced. Within the 2-year period of this review, four States enacted legislation relating to teacher tenure. California amended its tenure law by making it applicable to all public-school teachers. An act of Illinois provided that teachers, principals, and superintendents may be appointed for three years after a probationary period of two years, and the Indiana act provided that appointment after five years of service shall be permanent except for incompetency, insubordination, or immorality. An act of Montana provided that after election of any teacher or principal for the third consecutive year, such teacher shall be elected from year to year unless otherwise notified. New York extended tenure protection for full-time district clerks in many municipalities of more than 25,000 population after three years' service.

PHYSICAL WELFARE OF SCHOOL CHILDREN

Conservation and promotion of health and safety have long been recognized as functions of the public-school system, and laws to make them so continue to be enacted. Within the 2-year period here reviewed, approximately one-half of the States enacted laws which in some way tend to promote the health and physical safety of school children.

The laws relating especially to the conservation and promotion of health may be indicated as follows: Arizona appointed a State physical director and required that all public elementary and secondary schools provide physical training. The Legislature of Florida provided for the creation of the position of State supervisor of physical and health education. An Idaho act authorized county superintendents to close school buildings reported by health officers to be in insanitary condition. Illinois requires that school boards shall provide physical education for one hour per week, that normal schools shall give physical education courses, and that no student shall be graduated without having completed one year's work in physical education of one hundred and forty-four 45-minute periods. The Illinois Legislature authorized cities of more than 100,000

population to levy three-twentieths of 1 mill on each dollar of assessed value of taxable property to maintain playgrounds. An act of Kansas authorized boards of education in cities of first class to provide free inspection and treatment of physical defects and ailments of public-school children who are unable to pay the necessary expense for private treatment. New Jersey made provision for the employment of school nurses who shall examine every pupil to ascertain whether any physical defects exist and keep a record from year to year of the growth and development of pupils. Texas authorized the commissioner's courts of the various counties to employ one or more registered nurses at not more than \$1,800 per annum to visit the public schools and to investigate the health conditions and sanitary surroundings of such schools and the physical conditions of school pupils. An act of Wyoming requires teachers, with the assistance of county health nurses or county physicians, or both, to examine children to ascertain if any are suffering from defective sight, hearing, or diseases of the nose or throat. In 1928 the New Jersey Legislature authorized the use of public parks or playgrounds as playgrounds for public-school pupils; and Virginia required that physical and health education be emphasized throughout the elementary course of proper lessons, drills, and physical exercises set up by the State board of education.

SAFETY OF SCHOOL CHILDREN

Laws to guard the physical safety of school children and to prevent accidents were enacted in a number of States. Arizona, Kansas, Michigan, and South Carolina required school busses to stop before crossing a railroad track; South Carolina required fire drills in all public schools and that schools of two or more stories be equipped with adequate fire escapes. Two States required actual schoolroom instruction to prevent accidents. Arkansas required the teaching of methods of fire prevention. North Carolina provided for giving publicity to highway traffic laws through public schools; the State highway commission is required to prepare a digest of State traffic laws suitable for use in public schools and to deliver the same to the State superintendent of public instruction. Said digest shall be brought to the attention of school children at least once each week until it has been read and explained.

HANDICAPPED CHILDREN

Recent years have witnessed a growing desire of helpfulness to weak children which has manifested itself in legislative enactments to provide for their educational welfare.

Alabama authorized the State board of education to maintain a register of blind persons and to assist in their rehabilitation, and made an appropriation therefor; and also made an appropriation for the repair of the buildings of the State school for the blind and deaf. The Legislature of California provided for the establishment of "kindergarten service" and for vocational education in the State school for the blind; required doctors and nurses and others to report deaf and partially deaf children to superintendents of schools; and authorized school districts to provide education for children with defective vision, hearing, and such other physically handicapped "individuals" as the State superintendent of public instruction may designate. The Colorado Legislature enlarged the State aid for the welfare of the blind and deaf. An Iowa act allowed State aid for instruction of deaf children up to 16 years of age, instead of 12 years as formerly. Massachusetts required the education of all deaf children between 7 and 18 years when practicable. Nebraska provided State reimbursement for districts maintaining schools for the instruction of deaf children. An act of Tennessee provides for compulsory education of blind children between 7 and 16 years. A Louisiana act created a State board for the blind which is required to keep a register of the blind and of their ability for vocational education and industrial occupation.

Within the past two years, several States enacted laws to promote the education of crippled children. California amended its law so as to empower the State superintendent to make education compulsory for crippled children whom he may designate. The Legislature of Indiana provided for the establishment of special classes of instruction for children who, because of physical disability, can not be taught profitably in regular school classes, and granted State aid in an amount equal to three-fourths of the cost of such instruction in excess of the cost of instructing same number of children in regular classes. Michigan required district boards of education to provide a budget annually for expenditures in maintaining instruction for the crippled. An act of Wisconsin made provision for the transportation to school of physically disabled children, and authorized boards of education to establish special classes for such children. In 1928, Kentucky authorized cities of first class to provide for transportation of crippled children to and from public school; and New Jersey required boards of education to provide special facilities for crippled children and to establish special classes with as few as eight crippled children, and provided State reimbursement for one-half of the cost of such classes.

Alabama, Colorado, and Kansas enacted provisions to provide special instruction for mentally retarded children.

PRIVATE DEGREE-CONFERRING INSTITUTIONS

Recent years have shown an increased State control over private degree-conferring institutions. Legislatures have shown a tendency to require such institutions to be incorporated and to reserve to the State the power of regulation, in order that certain standards may be maintained. California, Iowa, and Missouri in 1927 and New York in 1928 enacted laws of this character.

California provided that no person, firm, or association other than corporations incorporated under law shall have the power to confer academic or professional degrees, and provided a penalty for violation. Iowa required that no academic degree for which compensation shall be paid shall be conferred by any individual or corporation unless the person obtaining the degree shall have completed one academic year of resident work at the institution which grants the degree; provided a penalty for violation. Missouri prohibited medical schools and colleges for issuing certificates of graduation or diplomas without requiring the recipient to meet certain requirements. New York provided that no person or association not holding university-or-college-degree-conferring power by special charter from the legislature or from the State board of regents shall confer any degree or transact business or in any way assume the name "university" or "college" until written permission is given to it, and such name shall have been granted by the regents under their seal.

With respect to correspondence schools, Illinois prohibited any person or persons from maintaining professional correspondence schools, including preparatory schools, colleges, academies, universities, and manual and mechanical trade schools without having a certification of registration issued by the State department of registration and education. Persons seeking authority to maintain such schools must apply in writing to the department upon blanks prepared and furnished by the said department. The applicant must state the name and location of the school; the nature, extent, and purpose of each course to be given; fees to be charged and conditions under which they are to be paid; plan of giving instruction; credential or certificate to be issued to students upon completion of course of instruction, copy of which is to be attached to the application; and such other information as the department deems pertinent to determine the character of the school. The department shall require such proof as shall be deemed desirable as to the bona fides of the applicant. The department shall make an examination to ascertain whether the courses to be given are adequate, suitable, and proper, whether the fees and the terms under which they are to be paid are reasonable; whether the facilities are sufficient and proper for successfully giving the instruction offered; whether the correspondence school

promises or agrees to give rights or privileges in respect to admission to professional examination or to the practice of any profession in violation of the laws of the State; and whether the trade schools offer inducements that are designed to deceive students or make any promise which it does not have the present means or ability to perform. If, after taking into consideration these factors, the department deems that they have been satisfactorily met, a certificate of registration shall be issued. The certificate may be revoked for violation of the conditions governing its issuance or rules adopted by the department, or for fraudulent conduct.

